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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/735,246	12/12/2003	Lech Glinski	105479-58455 (644-031)	9810
26345	7590	04/15/2008		
GIBBONS P.C. ONE GATEWAY CENTER NEWARK, NJ 07102			EXAMINER MCMAHON, DANIEL F	
			ART UNIT 4146	PAPER NUMBER
			NOTIFICATION DATE 04/15/2008	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

thibbits@gibbonslaw.com  
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IPDocket@gibbonslaw.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/735,246	<b>Applicant(s)</b> GLINSKI ET AL.	
	<b>Examiner</b> DANIEL F. MCMAHON	<b>Art Unit</b> 4146	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 12 December 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-43 is/are pending in the application.
- 4a) Of the above claim(s) 1-21 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 22-43 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>05/27/2004</u> .  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

Claims 1 - 21 are cancelled by applicant's Preliminary Amendment filed on May 27, 2004.

Claims 22 – 43 are presented for examination.

### ***Information Disclosure Statement***

1. The information disclosure statement (IDS) submitted on May 27, 2004 was received. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

### ***Specification***

2. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

### ***Claim Objections***

3. Claim 22 is objected to because of the following informalities:

Page 2, line 13: No antecedent basis in the claim for "said video signal tuning circuit".

4. Claim 27 is objected to because of the following informalities:

Page 3, line 8: No antecedent basis in the claims for "said test pulses".

5. Claim 31 is objected to because of the following informalities:

Page 4, line 3: "to video signal" should be -- to said video signal --

6. Claim 32 is objected to because of the following informalities:

Page 4, line 5: "a override" should be -- an override --

7. Claim 43 is objected to because of the following informalities:

Page 6, line 3: No antecedent basis in the claim for "said signals".

Page 6, line 7, 9: No antecedent basis in the claim for "said components"

Appropriate correction is required.

### ***Prior Art Rejections***

8. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 22 – 33, 35 – 39, and 43 are rejected under 35 U.S.C. 102(a) as being anticipated by Dickens et al. (herein Dickens), U.K. Patent Application GB 2,388,504 A.

3. Regarding claim 22, Dickens discloses: a video signal compensating circuit for receiving video signal components of a video signal including red, green and blue video signals from a remote video source (figure 1, element 116); determining a skew in receipt of said video signal components, and determining one or more delays to apply one or more of said components (figure 1, element 122); and a delay circuit coupled to said video signal tuning circuit for applying said delay or said delays said components (figure 1, 122).

4. Regarding claim 23, Dickens discloses: a signal injection circuit for injecting a plurality of test pulses for receipt by said video signal compensating circuit for said determining said delay or delays (figure 1, element 114; page 15, lines 28-29).

5. Regarding claim 24, Dickens discloses: each of said test pulses as being a square wave (page 5, lines 29-30).
6. Regarding claim 25, Dickens discloses: a signal injection circuit injecting said test pulses upon receipt of a control signal from said video signal compensating circuit (page 20, lines 10-23).
7. Regarding claim 26, Dickens discloses: A memory coupled to said video signal compensating circuit for storing values of said delays (page 22, lines 30-33).
8. Regarding claim 27, Dickens discloses: a video signal compensating circuit measuring said skew by comparing a combined amplitude of said test pulses to a reference amplitude (page 21, lines 14-22).
9. Regarding claim 28, Dickens discloses: a video signal compensating circuit determining said delay or said delays by measuring said skew for each combination of said components received utilizing said delay circuit (page 21, lines 14-22), storing results of said measuring in said memory (page 22, lines 30-33), comparing said results to said reference amplitude (page 23, lines 1-14), and calculating said delay or said delays closest to said reference amplitude (page 24, lines 10-20).

10. Regarding claim 29, Dickens discloses: a delay circuit including at least one inductor-capacitor circuit (page 2, lines 31-34).

11. Regarding claim 30, Dickens discloses: a delay circuit including at least one printed circuit board comprising at least one printed delay circuit (page 4, lines 6-10).

12. Regarding claim 31, Dickens discloses: a delay circuit including a red delay circuit, a green delay circuit and a red delay circuit, each of said red, green and blue delay circuits being coupled to video signal compensating circuit (page 4, lines 23-26).

Regarding claim 32, Dickens discloses: an override circuit for providing manual adjustment of said delay circuit (page 19, lines 20).

13. Regarding claim 33, Dickens discloses: a computer interface device for transmitting test pulses and video signals (figure 1, element 114; page 15, lines 28-29), said computer interface device including: a signal injection circuit for generating said test pulses (figure 3, element 148); a user interface device coupled to said computer interface device, said user interface device including: a signal receiving circuit for receiving said test pulses and said video signals from a remote video source (figure 1, element 116), and a delay circuit for determining a skew in receipt of said video signal components and for determining one or more delays to apply one or more of said components (figure 1, element 122).

14. Regarding claim 35, Dickens discloses: a delay circuit including at least one printed circuit board comprising at least one printed delay circuit (page 4, lines 6-10).

15. Regarding claim 36, Dickens discloses: each of said test pulses as a square wave pulse (page 5, lines 29-30).

16. Regarding claim 37, Dickens discloses: a computer interface device coupled to said user interface device via at least one Category 5 cable (page 12, line 13).

17. Regarding claim 38, Dickens discloses: a switch for selecting transmission of either said test pulses or said video signals (page 20, lines 11 – 22).

18. Regarding claim 39, Dickens discloses: a control circuit for generating a control signal to control said switch (page 20, lines 11 – 22).

19. Regarding claim 43, Dickens discloses: generating test signals at a computer interface, said signals including one such signal for each of said red, green and blue components (figure 3, element 148); receiving said test signals at a user interface (figure 1, element 116); calculating a difference of time in said receiving (figure 1, element 116); determining a delay for application to one or more of said components;



producing a signal for introducing said delay (figure 1, element 116); and applying said delays to one or more of said components (figure 1, element 122).

***Claim Rejections - 35 USC § 103***

20. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

21. Claim 34 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dickens et al. (herein Dickens), U.K. Patent Application GB 2,388,504 A.

22. Dickens teaches all limitation of the parent claim 33, as cited above. Dickens does not explicitly teach in the claimed embodiment: said delay circuit including at least one inductor-capacitor circuit. Dickens does teach: a delay circuit includes at least one inductor-capacitor circuit (page 2, lines 31-34).

A person of ordinary skill in the art, at the time of the invention, would find it obvious to combine the teachings of Dickens, as cited for claim 33, with the teachings of Dickens a delay circuit including an inductor-capacitor circuit, for the purpose of creating an efficient delay mechanism. Inductor-capacitor delay circuits are a well known design method, and the combination of the teachings would yield predictable results.

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23. Claims 40 – 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dickens, in view of Yee (Herein Yee), U.S. Patent Number 5,010,499.

24. Regarding claim 40, Dickens teaches all limitations of the parent claim 33. Dickens does not teach: a composite switch for creating composite signals comprising said test pulses and said video signals. Yee teaches: a composite switch for creating composite signals comprising said test pulses and said video signals (claim 8).

A person of ordinary skill in the art, at the time of the invention, would find it obvious to combine the teachings of Dickens, as cited for claim 33, with the teachings of Yee, a composite switch for video and test pulses, for the purpose of creating an inexpensive method of video calibration without interfering with interrupting the video signal being transmitted to the user (Yee: Column 2, lines 31 – 34).

25. Regarding claim 41, Dickens and Yee teach all the limitation of the parent claim 40. Dickens does not teach: an extraction circuit for extracting said test pulses from said composite signals. Yee teaches: an extracting circuit for extracting said test pulses from said composite signals (claim 8).

A person of ordinary skill in the art, at the time of the invention, would find it obvious to combine the teachings of Dickens and Yee, as cited above for parent claim 40, with the teachings of Yee, an extracting circuit, for the purpose of creating an inexpensive method of video calibration without interfering with interrupting the video signal being transmitted to the user (Yee: Column 2, lines 31 – 34).

26. Regarding claim 42, Dickens and Yee teach all the limitation of the parent claim 40. Dickens does not teach: an extraction circuit for extracting said video signals from said composite signals. Yee teaches: an extraction circuit for extracting said video signals from said composite signals.

A person of ordinary skill in the art, at the time of the invention, would find it obvious to combine the teachings of Dickens and Yee, as cited above for parent claim 40, with the teachings of Yee, an extracting circuit, for the purpose of creating an inexpensive method of video calibration without interfering with interrupting the video signal being transmitted to the user (Yee: Column 2, lines 31 – 34).

### ***Conclusion***

27. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Dickens et al. U.S. Publication Number 2004/0017514

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANIEL F. MCMAHON whose telephone number is (571)270-3232. The examiner can normally be reached on M-Th 8am-5pm(EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marvin Lateef can be reached on (571)272-5026. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Dfm

04/08/08

/MARVIN LATEEF/

Supervisory Patent Examiner, Art Unit 4146